

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

JUL 21 2022

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

DUANE RONALD BELANUS,

No. 21-35838

Plaintiff-Appellant,

D.C. No. 6:21-cv-00024-SEH

v.

MEMORANDUM*

STATE OF MONTANA; ATTORNEY
GENERAL FOR THE STATE OF
MONTANA; LEWIS AND CLARK
COUNTY,

Defendants-Appellees.

Appeal from the United States District Court
for the District of Montana
Sam E. Haddon, District Judge, Presiding

Submitted July 12, 2022**

Before: SCHROEDER, R. NELSON, and VANDYKE, Circuit Judges.

Montana state prisoner Duane Ronald Belanus appeals pro se from the district court's judgment dismissing his action alleging various constitutional claims. We have jurisdiction under 28 U.S.C. § 1291. We review de novo a

* This disposition is not appropriate for publication and is not precedent except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

dismissal for failure to state a claim under 28 U.S.C. § 1915(A). *Resnick v. Hayes*, 213 F.3d 443, 447 (9th Cir. 2000). We affirm.

The district court properly dismissed Belanus's claims because they are a "forbidden de facto appeal" of state court proceedings and raise issues that are "inextricably intertwined" with those proceedings. *See Noel v. Hall*, 341 F.3d 1148, 1158, 1163 (9th Cir. 2003) (discussing the *Rooker-Feldman* doctrine).

We do not consider matters not specifically and distinctly raised and argued in the opening brief. *See Padgett v. Wright*, 587 F.3d 983, 985 n.2 (9th Cir. 2009).

AFFIRMED.